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### REMARKS

The issues currently in the instant application are as follows:

- Claims 1-3, 5, 7, 9-15, and 20-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tani (U.S. Pub. No. 2003/0157923) in view of Dalsgaard (U.S. Patent No. 6792284).
- Claims 4, 6, 8, and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tani (U.S. Pub. No. 2003/0157923) in view of Dalsgaard (U.S. Patent No. 6792284) and further in view of 3GPP TS 24.008 v3.16.0.

Applicant traverses the outstanding rejections and requests reconsideration and withdrawal thereof in light of the amendments and remarks contained herein.

#### Amendments to the Claims

Claim 1 has been amended to incorporate claims 4, 6, and 8. Claims 4, 6, and 8 have been canceled. No new matter has been added.

Claim 20 has been amended to incorporate claims 21-22. Claims 21-22 have been canceled. No new matter has been added.

#### 35 U.S.C. § 103(a) - Claims 1-15 - Tani, Dalsgaard, and 3GPP TS 24.008

Claims 1-3, 5, 7, and 9-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tani (U.S. Pub. No. 2003/0157923) in view of Dalsgaard (U.S. Patent No. 6792284), and Claims 4, 6, and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tani in view of Dalsgaard and further in view of 3GPP TS 24.008 v3.16.0. Independent claim 1 has been amended to incorporate claims 4, 6, and 8 so all three references will be discussed together with respect to amended claim 1 and its dependent claims 2-15.

Tani proposes an emergency call management apparatus and mobile station without contemplating the concept of different steering areas. Dalsgaard discusses cell

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reselection in a terminal for a cellular system without contemplating emergency call situations. Technical Specification 3GPP TS 24.008 v3.16.0 stipulates that no location updating should be performed during a *call re-establishment* procedure.

A call re-establishment procedure is entirely different from an emergency call procedure. First, before a call re-establishment occurs, an established call must have experienced a lower layer radio link failure. See Section 4.5.1.6 on page 84 of 3GPP TS 24.008 v3.16.0. When this radio link failure occurs, the user equipment of 3GPP TS 24.008 v3.16.0 does not revert to idle mode during the call re-establishing procedure. See the "NOTE" in Section 4.5.1.6 on page 84 of 3GPP TS 24.008 v3.16.0. Second, because the user equipment of 3GPP TS 24.008 v3.16.0 does not revert to idle mode, the call re-establishment procedure of 3GPP TS 24.008 v3.16.0 has no mechanism to use "emergency call" as an *establishment* request as recited in claim 1 in the step of "requesting again." See also Tani, which only addresses call establishment and does not address call re-establishment. Third, if the user equipment of 3GPP TS 24.008 v3.16.0 did revert to idle mode in a different steering area in order to request again a radio resource control connection using "emergency call" as an establishment request, then Section 4.4.1 on page 71 of 3GPP TS 24.008 v3.16.0 specifies a location updating procedure, which is counter to the second step recited in claim 1.

Independent claim 1 has been amended to incorporate claims 4, 6, and 8, and claims 4, 6, and 8 have been canceled. Thus, amended claim 1 specifies the step of "changing to a new cell in a different steering area than the first cell without performing a location area update and without performing a routing area update." This step is not shown, suggested, or even remotely contemplated by Tani, Dalsgaard, and 3GPP TS 24.008 v3.16.0 in any combination. Thus, amended claim 1 is patentable over the cited references. Claims 2, 5, 7, and 9-15 depend directly or indirectly from amended claim 1 and consequently are also patentable over the cited references. Reconsideration and withdrawal of the rejection of claims 1-15 under 35 U.S.C. § 103(a) as being

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unpatentable over Tani, Dalsgaard, and 3GPP TS 24.008 v3.16.0 is respectfully requested.

35 U.S.C. § 103(a) – Claims 20-22 – Tani, Dalsgaard, and 3GPP

Claims 20-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tani (U.S. Pub. No. 2003/0157923) in view of Dalsgaard (U.S. Patent No. 6792284), and claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over Tani in view of Dalsgaard and further in view of 3GPP TS 24.008 v3.16.0. Independent claim 20 has been amended to incorporate claims 21-22 so all three references will be discussed together with respect to amended claim 20.

As alluded to previously, although the terms “call establishment” and “call re-establishment” have linguistic similarity, the two procedures are completely different and are used in completely different situations. Technical Specification 3GPP TS 24.008 v3.16.0 does not show or suggest user equipment that can perform step (b) and return to step (a) without performing a steering area update as recited in amended claim 20. As stated previously, because the user equipment of 3GPP TS 24.008 v3.16.0 does not revert to idle mode, the call re-establishment procedure of 3GPP TS 24.008 v3.16.0 has no mechanism to use “emergency call” as an *establishment* request as recited in claim 20 returning to step (a). See also Tani, which only addresses call establishment and does not address call re-establishment. Also, if the user equipment of 3GPP TS 24.008 v3.16.0 did revert to idle mode in a different steering area in order to request again a radio resource control connection using “emergency call” as an establishment request in returning step (a), then Section 4.4.1 on page 71 of 3GPP TS 24.008 v3.16.0 specifies a location updating procedure, which is counter to “wherein step (b) returns to step (a) without performing a steering area update” as recited in amended claim 20.

Independent claim 20 has been amended to incorporate claims 21-22, and claims 21-22 have been canceled. Thus, amended claim 20 specifies “wherein step (b) returns to step (a) without performing a steering area update.” This step is not shown, suggested,

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or even remotely contemplated by Tani, Dalsgaard, and 3GPP TS 24.008 v3.16.0 in any combination. Thus, amended claim 20 is patentable over the cited references.

Reconsideration and withdrawal of the rejection of claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over Tani, Dalsgaard, and 3GPP TS 24.008 v3.16.0 is respectfully requested.

Allowable Subject Matter

Applicant acknowledges that the Examiner has indicated that claims 16-19 are allowable over the prior art of record.

S U M M A R Y

The application is in condition for allowance and a favorable response at an early date is earnestly solicited. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact Applicant's representative at the telephone number indicated below.

Please charge any fees associated herewith, including extension of time fees, to **Deposit Account 502117**.

Respectfully submitted,

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